

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-01954-EGS

SOWERS v. U.S. DEPARTMENT OF JUSTICE et al
Assigned to: Judge Emmet G. Sullivan
Cause: 05:552 Freedom of Information Act

Date Filed: 08/21/2018
Jury Demand: None
Nature of Suit: 890 Other Statutory Actions
Jurisdiction: U.S. Government Defendant

Plaintiff**RANDY SOWERS**

represented by **Matthew W. Beato**
WILEY REIN, LLP
1776 K Street, NW
Washington, DC 20005
(202) 719-7518
Email: mbeato@wileyrein.com
ATTORNEY TO BE NOTICED

V.

Defendant**U.S. DEPARTMENT OF JUSTICE**

represented by **Johnny Hillary Walker , III**
U.S. ATTORNEY'S OFFICE
Civil Division
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2575
Fax: (202) 252-2599
Email: johnny.walker@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**INTERNAL REVENUE SERVICE**

represented by **Johnny Hillary Walker , III**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Joseph E. Hunsader
U.S. DEPARTMENT OF JUSTICE
Tax Division
P.O. Box 227
Washington, DC 20044
(202) 514-0472
Fax: (202) 514-6866
Email: joseph.e.hunsader@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/21/2018	<u>1</u>	COMPLAINT against INTERNAL REVENUE SERVICE, U.S. DEPARTMENT OF JUSTICE (Filing fee \$ 400 receipt number 0090-5650790) filed by RANDY D SOWERS. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Civil Cover Sheet, # <u>12</u> Summons USAO, # <u>13</u> Summons AG, # <u>14</u> Summons DOJ, # <u>15</u> Summons IRS)(Beato, Matthew) (Attachment 11 replaced on 9/19/2018) (zmd). (Entered: 08/21/2018)

08/21/2018		Case Assigned to Judge Emmet G. Sullivan. (zmd) (Entered: 08/22/2018)
08/23/2018	<u>2</u>	STANDING ORDER: The parties are directed to read the attached Standing Order Governing Civil Cases Before Judge Emmet G. Sullivan in its entirety upon receipt. The parties are hereby ORDERED to comply with the directives in the attached Standing Order. Signed by Judge Emmet G. Sullivan on 08/23/18. (Attachment: # <u>1</u> Exhibit 1) (mac) (Entered: 08/23/2018)
08/27/2018	<u>3</u>	REQUEST FOR SUMMONS TO ISSUE filed by RANDY SOWERS. (Attachments: # <u>1</u> Summons DOJ, # <u>2</u> Summons AG, # <u>3</u> Summons IRS)(Beato, Matthew) (Entered: 08/27/2018)
08/28/2018	<u>4</u>	SUMMONS (4) Issued Electronically as to INTERNAL REVENUE SERVICE, U.S. DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(sth) (Entered: 08/28/2018)
08/28/2018	<u>5</u>	CIVIL COVER SHEET (<i>corrected</i>) by RANDY SOWERS filed by RANDY SOWERS.(Beato, Matthew) (Entered: 08/28/2018)
08/29/2018	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 8/29/2018. Answer due for ALL FEDERAL DEFENDANTS by 9/28/2018. (Beato, Matthew) (Entered: 08/29/2018)
09/06/2018	<u>7</u>	NOTICE of Appearance by Johnny Hillary Walker, III on behalf of All Defendants (Walker, Johnny) (Entered: 09/06/2018)
09/19/2018	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 8/29/2018. (Answer due for ALL FEDERAL DEFENDANTS by 9/28/2018.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 8/31/2018., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. INTERNAL REVENUE SERVICE served on 8/30/2018; U.S. DEPARTMENT OF JUSTICE served on 8/31/2018 (Attachments: # <u>1</u> Declaration of Lisa Dorn)(Beato, Matthew) (Entered: 09/19/2018)
09/25/2018	<u>9</u>	Unopposed MOTION for Extension of Time to File Answer by <i>Defendant DOJ, Tax Division, and by Defendant IRS</i> by INTERNAL REVENUE SERVICE (Attachments: # <u>1</u> Text of Proposed Order)(Hunsader, Joseph) (Entered: 09/25/2018)
09/25/2018		MINUTE ORDER granting <u>9</u> defendants' unopposed motion for extension of time to file answer. The defendants shall therefore answer or otherwise respond to the complaint by no later than October 31, 2018. Signed by Judge Emmet G. Sullivan on 9/25/2018. (lcegs3) (Entered: 09/25/2018)
09/26/2018		Set/Reset Deadlines: Defendant Answer Or Otherwise Response To The Complaint due by 10/31/2018. (mac) (Entered: 09/26/2018)
10/31/2018	<u>10</u>	ANSWER to Complaint by INTERNAL REVENUE SERVICE.(Hunsader, Joseph) (Entered: 10/31/2018)
10/31/2018	<u>11</u>	ANSWER to Complaint by U.S. DEPARTMENT OF JUSTICE.(Walker, Johnny) (Entered: 10/31/2018)
12/03/2018		MINUTE ORDER. Plaintiff brings this action pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552. The parties are directed to meet and confer and propose a joint scheduling order for further proceedings in this case by no later than January 3, 2019. The parties' joint proposed scheduling order shall address the following: (1) The status of plaintiff's FOIA request; (2) The anticipated number of documents responsive to plaintiff's FOIA request; (3) The anticipated date(s) for release of documents responsive to plaintiff's FOIA request; (4) Whether a motion for an Open America stay is likely in this case; (5) Whether a Vaughn index will be required in this case; (6) Whether this case would benefit from referral to a magistrate judge or the District Court Mediation Program for purposes of settlement; and (7) A proposed briefing schedule for dispositive motions, if applicable. If the parties are unable to agree on a joint recommendation, the joint proposed scheduling order shall include each party's individual recommendations. Signed by Judge Emmet G. Sullivan on 12/3/2018.

		(lcegs3) (Entered: 12/03/2018)
12/04/2018		Set/Reset Deadlines: Joint Scheduling Order due by 1/3/2019. (mac) (Entered: 12/04/2018)
12/20/2018	<u>12</u>	Joint MOTION for Extension of Time to <i>file a Joint Proposed Schedule</i> by INTERNAL REVENUE SERVICE, U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 12/20/2018)
12/20/2018		MINUTE ORDER granting <u>12</u> joint motion for an extension of time. The parties shall therefore file its proposed joint scheduling order by no later than January 10, 2019. Signed by Judge Emmet G. Sullivan on 12/20/2018. (lcegs3) (Entered: 12/20/2018)
12/20/2018		Set/Reset Deadlines/Hearings: Proposed joint scheduling order due by 1/10/2019. (zcdw) (Entered: 12/26/2018)
01/08/2019	<u>13</u>	MOTION to Stay <i>in light of lapse of Congressional appropriations</i> by INTERNAL REVENUE SERVICE (Hunsader, Joseph) (Entered: 01/08/2019)
01/09/2019		MINUTE ORDER granting <u>13</u> motion to stay in light of lapse of appropriations. Defendants are directed to notify the Court when appropriations are restored or if a continuing resolution is enacted. Signed by Judge Emmet G. Sullivan on 1/9/2019. (lcegs3) (Entered: 01/09/2019)
01/30/2019	<u>14</u>	NOTICE <i>of restoration of Congressional appropriations</i> by INTERNAL REVENUE SERVICE (Hunsader, Joseph) (Entered: 01/30/2019)
02/04/2019		MINUTE ORDER. In view of <u>14</u> Notice of Restoration of Congressional Appropriations, the parties are directed to file a joint status report by no later than February 14, 2019, proposing a schedule for further proceedings. Signed by Judge Emmet G. Sullivan on 2/4/2019. (lcegs3) (Entered: 02/04/2019)
02/05/2019		Set/Reset Deadlines: Joint Status Report due by 2/14/2019. (mac) (Entered: 02/05/2019)
02/13/2019	<u>15</u>	MOTION for Summary Judgment <i>based upon prior settlement agreement setting forth two controlling releases</i> by INTERNAL REVENUE SERVICE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Affidavit of Joseph Hunsader, # <u>4</u> Exhibit re: Hunsader affidavit, # <u>5</u> Text of Proposed Order)(Hunsader, Joseph) (Entered: 02/13/2019)